

03-14-2003

Form PTO-1594
(Rev. 10/02)
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102389885

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Wachovia Bank, National Association

2-2803

- ☐ Individual(s) ☒ Association
☐ General Partnership ☐ Limited Partnership
☐ Corporation-State
☐ Other _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☒ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: January 15, 2003

2. Name and address of receiving party(ies)
Name: American Capital Strategies, Ltd.

Internal
Address: Suite 860

Street Address: 3 Bethesda Metro Center

City: Bethesda State: MD Zip: 20814

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☒ Corporation-State Delaware
☐ Other _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☒ No
(Designations must be a separate document from assignment)
Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s) 75/713582,
75/447617

B. Trademark Registration No.(s) 2158103, 2214870,
1478616, 1478617

Additional number(s) attached ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: James T. Walsh, Esq.

Internal Address: _____

Street Address: ARNOLD & PORTER

555 Twelfth Street, N.W.

City: Washington State: DC Zip: 20004

6. Total number of applications and registrations involved: 6

7. Total fee (37 CFR 3.41).....\$ 165.00

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number:

50-2387

DO NOT USE THIS SPACE

9. Signature.

James T. Walsh

Name of Person Signing

Signature

February 26, 2003

Date

Total number of pages including cover sheet, attachments, and document: 3

03/13/2003 ECOOPER 00000247 502387 75/713582

01 FC:8521
02 FC:8522

40.00 CH
125.00 CH

Documents to be recorded with required cover sheet information to:
Commissioner of Patent & Trademarks, Box Assignments
Washington, D.C. 20231

TRADEMARK
REEL: 002690 FRAME: 0848

ASSIGNMENT OF TRADEMARK SECURITY INTEREST

FOR VALUE RECEIVED, the undersigned, **WACHOVIA BANK, NATIONAL ASSOCIATION**, a national banking association ("Assignor"), does hereby sell, assign, transfer and convey to **AMERICAN CAPITAL STRATEGIES, LTD.**, a Delaware corporation ("Assignee"), all right, title and interest of Assignor in and to the and trademarks listed on Schedule A attached hereto, arising under that certain Trademark Security Agreement, dated September 27, 1999, between Confluence Holdings Corp., a Delaware corporation, and Assignor (as at any time amended, the "Trademark Security Agreement"), recorded October 18, 1999, on Reel No. 001976, Frame 0209, United States Patent and Trademark Office, together with the goodwill of the business symbolized by the marks, and authorizes and requests the Commissioner of Patents and Trademarks of the United States of America to note and record the assignment provided for herein.

IN WITNESS WHEREOF, Assignor has caused this Agreement to be signed and sealed by its duly authorized officers on January 12, 2003.

**WACHOVIA BANK, NATIONAL
ASSOCIATION**

By: _____

William W. Teegarden

Title: Director

STATE OF GEORGIA)

COUNTY OF FULTON)

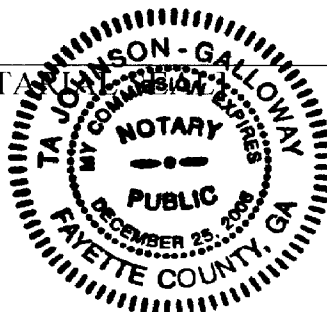
BEFORE ME, the undersigned, a Notary Public in and for the county aforesaid, on this 15TH day of January, 2003, personally appeared William W. Teegarden, to me known personally, and who, being by me duly sworn, deposes and says that he is the Director of **WACHOVIA BANK, NATIONAL ASSOCIATION**, a national banking association, and that, being authorized to do so, said instrument was signed by him on behalf of said corporation and said Director acknowledged said instrument to be the free act and deed of said corporation.

TA Johnson Galloway
Notary Public

Executed on 01/15/2003

My Commission Expires: 12/25/2006

[NOTARY]



{209401.1} 000866-00101

TRADEMARK
REEL: 002690 FRAME: 0849

SCHEDULE A

U.S. Trademarks

<u>Trademark</u>	<u>Jurisdiction</u>	<u>Application No. Registration No.</u>	<u>Application Date/ Issue Date</u>
Wilderness Systems	USA	2,158,103	5-19-98
WindRider	USA	2,214,870	12-29-98
Forplay	USA	Application No. 75/713,582	5-26-99

WindRider Rave	USA	Application No. 75/447,617	3-10-98
Mad River Canoe, Inc. "Design of Rabbit"	USA	1,478,616	3-1-88
Mad River Canoe, Inc. (Stylized) Trademark	USA	1,478,617	3-1-88

Foreign Trademarks

Mad River Canoe, Inc. "Design of Rabbit"	Canada	380,439	2-22-91
Mad River Canoe, Inc. "Design of Rabbit"	Germany	1,172,092	1-26-90
Mad River Canoe, Inc. (Stylized)	Canada	387,973	8-23-91
Mad River Canoe, Inc. (Stylized)	Germany	1,172,096	1-27-90

{209401.1} 000866-00101